United Nations S/AC.37/2004/(1455)/13

Security Council

Distr.: General
17 March 2004

Original: English

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Letter dated 17 March 2004 from the Permanent Representative of Bangladesh to the United Nations addressed to the Chairman of the Committee

I am pleased to forward herewith a report prepared by the concerned authorities of the Government of Bangladesh pursuant to paragraph 6 of resolution 1455 (2003), for consideration by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities (see annex).

May I bring to your kind notice that there are some inadvertent technical omissions in the report (relating to paras. 9, 10 and 19). The omitted information will be forwarded to the Committee in an addendum to the present report. I would therefore like to request the Committee to relax the deadline for submission of the addendum beyond 31 March 2004.

I would also like to assure you that the delay in preparing such a comprehensive report was purely due to resource and capacity constraints at the national level.

(*Signed*) Dr. Iftekhar Ahmed **Chowdhury**
Ambassador and Permanent Representative

04-27811 (E) 070404

Annex to the letter dated 17 March 2004 from the Permanent Representative of Bangladesh to the United Nations addressed to the Chairman of the Committee

Report Submitted by Bangladesh Pursuant to Resolution 1455 (2003)

I. Introduction

1. Please provide a description of activities, if any, by Usama Bin Laden, AL-Qaida, the Taliban and their associates in your country, the threat they pose to the country and the region, as well as likely trends.

Ans: No activities relating to Usama Bin Laden, AL-Qaida, the Taliban and their associates have been found so far in Bangladesh. An appropriate investigation has been conducted recently by concerned state authorities to evaluate the presence or activities of the above-mentioned organizations. It is evident from the investigation that none of the above organizations or their associates are present in Bangladesh.

II. Consolidated List

2. How has the 1267 Committee's List been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?

Ans: The 1267 Committee's list includes, in its AL-Qaida sections, a minor mention of Bangladesh among countries/territories under the heading "other location of BIF (Benevolence International Foundation) activities." The other four locations mentioned are - Afghanistan, Gaza Strip, Bosnia - Herzegovina and Yemen. Bangladesh is also mentioned similarly as a location of activities of Global Relief Fund.

To verify the above, an investigation has been carried out whether the BIF (Benevolence International Foundation) and GRF (Global Relief Fund) are present in Bangladesh. But no activities of the said organizations were found in Bangladesh.

The consolidated list has been supplied to all of the 22 immigration check posts of the country(Air, land and sea) by Special Branch (Intelligence and Security) of the government.

Incorporation of the list within the administrative structure of the Central Bank of the government (Bangladesh Bank), Customs and Consular authorities , Law Enforcing Agencies and respective associated institutions has also been done.

3. Have you encountered any problems with implementation with regard to the names and identifying information as currently in the List? If so, please describe these problems.

Ans: Out of 22 immigration check posts of the country, only Zia International Airport in Dhaka has a computerized system, where the list can be updated through computer. But other 21 immigration check posts are yet to be computerized. In such a scenario, the updated list is being circulated and processed manually requiring extra time and inter-agency coordination. Funds are therefore, required to computerize all the immigration check posts to facilitate faster and more effective updation of the List.

4. Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the actions that have been taken.

Ans: None of the designated individuals or entities of Al Qaida have been identified inside the territory of Bangladesh.

5. Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Usama Bin Laden or members of the Taliban or Al-Qaida that have not been included in the List. Unless to do so would compromise investigations or enforcement actions.

Ans: No new names involving above-mentioned organizations have been reported so far.

6. Have any listed individuals or entities brought a lawsuit or engaged in legal proceedings against your authorities for inclusion in the list?

Ans: No.

7. Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the List? If so, please provide this information to the Committee as well as similar information on Listed entities, as available.

Ans: No

8. According to your national legislation, if any, please describe any measures you have taken to prevent entities individuals from recruiting or supporting AL-Qaida members in carrying out activities inside your country, and to prevent individuals from participating in Al-Qaida training camps established in your territory or in another country.

Ans: There is no report of any existence of Al-Qaida recruiting or training camp in Bangladesh, and no new laws have been created to specifically prevent Al Qaida training or

recruitment. However, should any information relating to Al-Qaida members is found in the future, it can be dealt with under the existing national laws which prevents any terrorist organizations to use the territory of Bangladesh for recruitment/training or operations relating to international terrorist activities.

III. Financial and Economic Assets Freeze

9 and 10: Inadvertent Technical omission by the reporting authorities of the Government: The Permanent Mission will submit information on 9 and 10 through an addendum to the present report.

11. Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Usama Bin Laden or members of Al-Qaida or the Taliban, or associated entities or individuals, please describe any "due diligence" or "know your costume" requirements. Please indicate how these requirements are enforced, including the names and activities or agencies responsible for oversight.

Ans: So far there is no report of freezing of any assets attributed to Al Qaida or associated entities, as none such accounts have been detected upon investigation by concerned financial authorities. A money-landing prevention law is currently under consideration of the Bangladesh National Parliament which would effectively address freezing of assets or illegal financial/economic holdings of all categories.

12. Please provide a list of the assets that have been frozen in accordance with this resolution. This list should also include assets frozen pursuant to resolutions 1267 (1999), 1333 (2000) and 1390 (2002) please include to the extent possible, in each listing the following information:

Ans: No financial assets or economic assets believed to be related to Usama Bin Laden or members of Al-Qaida or the Taliban or associated individuals or entities have been reported in Financial Institutions in Bangladesh.

13. Please indicate whether you have released pursuant to resolution 1452 (2002) any funds, financial assets or economic assets that had previously, been frozen as being related to Usama Bin Laden or members of the Al-Qaida or the Taliban or associated individuals or entities. If so please provide reasons, amounts unfrozen or released and dates.

Ans: No.

14. Pursuant to resolutions 1455 (2003), 1390 (2002), 1333 (2000) and 1267 (1999), states are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to listed individuals or entities or for their benefit, by nationals or by

any persons within their territory. Please indicated the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movements of such funds or assets to designated individuals and entities. This section should include a description of;

The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban. This section should include an indication of the types of institutions informed and the methods used.

Required bank-reporting procedures, if any, including the use of Suspicious Transaction Reports (STR), and how such reports are reviewed and evaluated.

Requirements, if any, placed on financial institutions other than banks to provide STR, and how such reports are reviewed and evaluated.

Restrictions or regulations, if any, placed on the movement to precious commodities such as gold, diamonds and other related items.

Restrictions or regulations, if any, applicable to alternate remittance systems such as- or similar to charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social or charitable purposes.

Ans: The banks and other financial institutions are informed of the restrictions placed upon individuals or entities listed by the Committee, through inter-agency coordination between the Ministry of Foreign Affairs, Ministry of Finance, Ministry of Home Affairs and the Central Bank of the Government. The Central Bank uses a regulatory mechanism for all banks of the country including public and private to report any suspicious transaction reports by listed individuals and entities, which in turn is reported to and evaluated by the Ministry of Finance and conveyed to the Ministry of Foreign Affairs. So, far there has being nil activity reported in this regard.

As no activities of Taliban and Al-Qaida are reported yet in Bangladesh, and therefore, no special laws has been formulated to prevent/freeze specifically their assets. However, Existing banking and anti-terrorism laws can be applied to control the movements of such funds or to effect arrests relating to the designated individuals or entities. A money-landing prevention law is currently awaiting approval of the Bangladesh National Parliament which would most effectively address freezing of assets or illegal financial/economic holdings of all illegal entities, national and international.

IV. Travel Ban

Under the sanctions regime, all states shall take measures to prevent the entry into or transit through their territories of listed individuals (Paragraph 1 of resolution 1455 (2003), paragraph 2b of resolution 1390 (2002).

15. Please provide an outline of the legislative and/or administrative measures, if any, taken to implement the travel ban.

Ans: As mentioned earlier, names of the listed individuals are being regularly transmitted by the Ministry of Foreign Affairs through the Ministry of Home Affairs to all 22 immigration entry points(air, land, and sea), preventing entry or transit of listed individuals to or through the territory of Bangladesh.

16. Have you included the names of the listed individuals in your national "stop list" or border checkpoint list? Please briefly outline steps taken and any problems encountered.

Ans: The names of listed individuals are provided to the Department of Immigration which controls entry at all border check points land, air and sea. Director-General Forces Intelligence and National Security Intelligence, the two chief national military and security intelligence bodies also have these lists. These institutions maintain a "stop list" and keep high alert regarding any attempted movement by listed individuals through existing national security policies and provisions. No significant problems have been encountered so far, except for the limited electronic database at the immigration entry points.

17. How often do you transmit the updated list to your border control authorities? Do you possess the capability of searching list data using electronic means at all your entry points?

Ans: The transmittal takes place as and when an updated list is received from the UN Security Council through Bangladesh Permanent Mission. Any fixed timeframe to process updation of the list is not established yet. It may be noted that only the Zia International Airport at Dhaka is computerized and all other 21 entry ports (including 2 important air points at Chittagong & Sylhet airport) are yet to be computerized. None of them (not even airport at Dhaka) is connected with Internet. A search and match elctronic capabitly at all entry posints would greatly facilitate early detection of attempted entry by listed individuals. To have capabilities of searching list data using electronic means at all entry points require a considerable amount of funding.

18. Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information, as appropriate.

Ans: No.

19. Inadvertent technical omission by concerned authorities of the Government. The Permanent Mission would provide information on this item through an addendum to the present report.

V. Arms Embargo

Under the sanctions regime, all states are requested to prevent the direct or indirect supply, sale and transfer, to Usama Bin Laden, members of Al-Qaida organization and the Taliban and other individuals and entities associated with them, from their territories or by their nationals outside their territories of arms and related material of all types, including the provision of space parts and activities (paragraph 2(c) of resolution 1390 (2002) and paragraph 1 of resolution 1455 (2003).

20. What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Usama Bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?

Ans: Bangladesh is not a producer/exporter of conventional weapons or WMD. Concerned government Agencies have strict policies and regulatory measures as per IAEA standards preventing acquisition of nuclear materials by any individual. Sales and purchase of arms and explosives are strictly regulated in Bangladesh by concerned government authorities under existing law of the land. Only government authorized dealers import and sell arms only to government authorized license holders. To be a license holder one must go through extensive police investigation and verification. Government also has in place mandatory requirements for all license holders to submit and renew documents on a periodic basis as a regulatory/preventive policy. Therefore, existing laws have adequate provisions to prevent the acquisition of conventional arms by any individuals, even though no new law to prevent specifically Al Qaida or Talibans has been made.

21. What measures, if any have you adopted to criminalize the violation of the arms embargo directed at Usama Bin Laden, members of Al-Qaida organization and the Taliban and the individuals, groups, undertakings and entities associated with name?

Ans: No specific measure has recently been adopted to criminalize the violation of arms embargo directed to the designated persons. However, existing criminal law is adequate to serve the purpose, as explained in 20. Relevant security agencies of the government dealing with acquisition of arms such as the Ministry of Home Affairs, Armed Forces Division and the Director General of Forces Intelligence have been informed of Security Council arms embargo on Al Qaida and Talibans.

22. Please describe how your arms/arms broker licensing system, if any, can prevent Usama Bin laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.

Ans: Government issues Arms licenses after thorough investigation and verification. Without being verified a person cannot get a license as per the existing law. The government conducts on a periodic basis anti-trafficking and illegal arms recovery drives on a nation wide basis as a preventive measure against listed national criminals. No information of listed persons obtaining arms/ammunitions have been reported so far. Information in paragraph 20 may be referred to.

23. Do you have any safeguards that the weapons and ammunition produced within your country will be diverted/used by Usama Bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertaking and entities associated?

Ans: Yes, national safeguards and preventive laws exist to prevent diversion/use by any individual of illegal weapons and ammunitions, explained in the previous answer.

VI. Assistance and conclusion

24. Would your state be willing or able to provide assistance to other states to help them implement the measures contained in the above mentioned resolutions? If so, please provide additional details or proposals.

Ans: Due to institutional and resource constraints, Bangladesh is yet to develop its own national measures to counter specifically Al Qaida and Taleban or associated entities terrorist activities. However, if requested Bangladesh would be willing to share its counter terrorist experience or information with other countries in accordance with the relevant UN resolutions regime.

25. Please identify areas, if any, of any incomplete implementation of the Taliban/Al-Qaida sanctions regime, and where you believe specific assistance or capacity building would improve your ability to implement the above sanctions regime.

Ans: The law enforcing/immigration agencies of the government, in particular, the Bangladesh Police, immigration and customds is not yet equipped with computer networking system. Immigration check points (other than the one at Dhaka) do not have access to any networking facilities either. So it is difficult to normally deal with a list, which is updated every three months through traditional methods and channels. Absence of IT network in Bangladesh Police and Immigration is the main difficulty felt at this moment in implementing the Taliban/Al Qaida sanctions regime. As computerized networking system among the immigrations, customs, law enforcement and national security agencies would be

extremely helpful to regularly update and alert these departments on any attempted movement of Al-Qaida and its associates, the Government of Bangladesh would welcome any technical assistance to enhance national capacity in this regard.